

**IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
STATESVILLE DIVISION**

**CIVIL NO. 5:98CV29**

**BETTY G. BROWN, Individually and )  
as Executrix of the Estate of )  
Everette C. Brown, Deceased, *et al.*, )**

**This document pertains to: )  
BETTY G. BROWN, Individually and )  
as Executrix of the Estate of )  
Everette C. Brown, Deceased; )  
MAVIS R. MULLIS, Individually and )  
as Executrix of the Estate of James )  
Parks Mullis, Deceased; DAVID E. )  
STEELE, Executor of the Estate of )  
Erbie L. Steele, and wife MARIE K. )  
STEELE; JANE WALSER, )  
Individually and as Executrix of the )  
Estate of Wilford D. Walser, )  
Deceased; REGINALD B. BALLARD, )  
and wife NANCY C. BALLARD; )  
EUGENE BEAVER, and wife NITA S. )  
BEAVER; MICHAEL E. BILYEU, and )  
wife JOEANN G. BILYEU; BRIAN D. )  
BOST; ERNEST B. BURTON, and wife )  
E. INEZ BURTON; JAMES D. COMER, )  
and wife JANE B. COMER; )  
CHARLES L. CRISP, and wife LINDA )  
S. CRISP; HAROLD D. DALTON, SR.; )  
DAVID L. EARLS, and wife DEBORAH )  
P. EARLS; OLLEN J. FARRIS, and )  
wife LINDA JOYCE FARRIS; ARNOLD )  
R. FLOYD, and wife RUBY T. FLOYD; )  
JAMES D. GILLESPIE, and wife )  
WILLA W. GILLESPIE; DONALD C. )**

HOLLIS; CHARLIE R. HORD, and )  
 wife BEVERLY P. HORD; JACK B. )  
 HUGHES, and wife SARAH ESTHER )  
 HUGHES; ARCHIE HUMPHRIES, JR., )  
 and wife MARGARET M. )  
 HUMPHRIES; BARBARA R. )  
 HUMPHRIES, Executrix of the Estate )  
 of Buddy R. Humphries, Deceased; )  
 LARRY K. HUMPHRIES, and wife )  
 THERESA N. HUMPHRIES; )  
 WILLIAM E. JACOBS, and wife )  
 EDITH H. JACOBS; JAMES A. )  
 KISNER, and wife BRENDA G. )  
 KISNER; CLYDE R. McKNIGHT, and )  
 wife MADELYN G. McKNIGHT; )  
 KENNETH H. MOREE, and wife )  
 LYNN D. MOREE; JACKSON J. )  
 SMITH, and wife CAROLYN S. )  
 SMITH; LLOYD L. SUTTON, and wife )  
 MARGARET H. SUTTON; CECIL B. )  
 THOMPSON, and wife MARGIE B. )  
 THOMPSON; and CAROLYN I. )  
 WAGNER, Individually and as )  
 Executrix of the Estate of Kenneth L. )  
 Wagner, Deceased, )

Plaintiffs, )

Vs. )

AMCHEM PRODUCTS, INC.; )  
 CERTAIN-TEED CORPORATION; )  
 GARLOCK, INC.; GENERAL )  
 ELECTRIC COMPANY; )  
 GRANT WILSON, INCORPORATED; )  
 OWENS-ILLINOIS, INC.; and 3M )  
 COMPANY, )

ORDER

Defendants. )  
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**THIS MATTER** is before the Court on the joint motion of the specific Plaintiffs captioned above and the Defendant Owens-Illinois, Inc., to dismiss all claims against said Defendant.

For the reasons stated in the motion,

**IT IS, THEREFORE, ORDERED** that the joint motion to dismiss is **ALLOWED**, and the claims of Betty G. Brown, Individually and as Executrix of the Estate of Everette C. Brown, Deceased; James D. Comer, and wife Jane B. Comer; James D. Gillespie, and wife Willa W. Gillespie; Jackson J. Smith, and wife Carolyn S. Smith; Lloyd L. Sutton, and wife Margaret H. Sutton; William E. Jacobs, and wife Edith H. Jacobs; and Clyde R. McKnight, and wife Madelyn G. McKnight, against the Defendant Owens-Illinois, Inc., are hereby **DISMISSED WITH PREJUDICE**.

**IT IS FURTHER ORDERED** that the claims of Reginald B. Ballard, and wife Nancy C. Ballard; Eugene Beaver, and wife Nita S. Beaver; Brian D. Bost; Ernest B. Burton, and wife E. Inez Burton; Charles L. Crisp, and wife Linda S. Crisp; Harold D. Dalton, Sr.; David L. Earls, and wife Deborah

P. Earls; Arnold R. Floyd, and wife Ruby T. Floyd; Charlie R. Hord, and wife Beverly P. Hord; Jack B. Hughes, and wife Sarah Esther Hughes; Archie Humphries, Jr., and wife Margaret M. Humphries; Larry K. Humphries, and wife Theresa N. Humphries; James A. Kisner, and wife Brenda G. Kisner; Kenneth H. Moree, and wife Lynn D. Moree; Mavis R. Mullis, Individually and as Executrix of the Estate of James Parks Mullis, Deceased; Corrine F. Smith, and husband Jerry L. Smith; David E. Steele, Executor of the Estate of Erbie L. Steele, Deceased, and Marie K. Steele; James Walser, Individually and as Executrix of the Estate of Wilford D. Walser, Deceased; Ollen J. Farris, and wife Linda Joyce Farris; Donald C. Hollis; Michael E. Bilyeu, and wife Joeann G. Bilyeu; Barbara R. Humphries, Executrix of the Estate of Buddy R. Humphries, Deceased; Cecil B. Thompson, and wife Margie B. Thompson; and Carolyn I. Wagner, Individually and as Executrix of the Estate of Kenneth L. Wagner, Deceased, against the Defendant Owens-Illinois, Inc., are hereby

**DISMISSED WITHOUT PREJUDICE.**

Signed: February 21, 2007

A handwritten signature in dark ink, appearing to read 'L. H. Thornburg', written over a horizontal line.

Lacy H. Thornburg  
United States District Judge

